

SECTION III—REMARKS

This amendment is submitted in response to the final Office Action mailed June 29, 2005. Claims 1, 12, 23 and 28 are amended and claims 2, 13, 24 and 29 are canceled. Claims 1, 3-12, 14-23, 25-29 and 30-32 remain pending in the application. Applicants respectfully request reconsideration of the application and allowance of all pending claims in view of the above amendments and the following remarks.

Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 1-32 under 35 U.S.C. § 103(a) as obvious in view of, and therefore unpatentable over, different combinations of the following references: U.S. Patent No. 4,939,694 to Harrington *et al.* ("Harrington"); U.S. Patent No. 6,088,740 to Ghaffari *et al.* ("Ghaffari"); U.S. Patent No. 4,366,536 to Kohn ("Kohn"); and U.S. Patent No. 6,567,862 to Saito ("Saito").

Applicants respectfully traverse the Examiner's rejections. To establish a *prima facie* case of obviousness, three criteria must be met: (1) the prior art references must teach or suggest all the claim limitations; (2) some suggestion or motivation to combine the references must be found in the prior art; and (3) there must be a reasonable expectation of success. MPEP § 2143. Applicants respectfully submit that, as explained below, the Examiner has not established a *prima facie* case of obviousness.

The Examiner rejected claims 2, 13, 24 and 29 as obvious in view of, and therefore unpatentable over, Harrington in view of Ghaffari. Claims 1, 12, 23 and 28 have been amended to include limitations found in claims 2, 13, 24 and 29 respectively. Applicants submit that the amendments made thus do not raise any additional issues and should not require a new search or additional consideration.

Claim 1, as amended, recites a method combination including issuing a plurality of commands to a controller, wherein the commands are issued in a first order and wherein "each command includes a command, a memory address identifying a memory location to which the completion status will be written, and a value to be written upon completion of the command," and "indicating the completion status of commands in a second order, wherein the second order is different from the first order." The Examiner concedes that Harrington does not disclose a combination wherein "each command includes a command, a memory address identifying a memory location to which the completion status will be written, and a value to be written upon completion of the command," but alleges that Ghaffari discloses this limitation and concludes that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Harrington and Ghaffari to arrive at the presently claimed invention.

Applicants respectfully disagree. Ghaffari does not, as the Examiner alleges, teach that each command includes a command, a memory address identifying a memory location to which the completion status will be written, and a value to be written upon completion of the command. Instead, as indicated in the portions referenced by the Examiner (Fig. 5; col. 7, lines 24-25 and 45-50) Ghaffari teaches only providing an address where the results of a given data operation should be placed. By "results of a given data operation" Ghaffari clearly means the target data retrieved, stored, or otherwise acted upon by the command, not any kind of completion status indication associated with the command. Completion status is not a "result of a given data operation," as this phrase is used in Ghaffari. Completion status is rather an indication to the controller that the issued command has been completed. Ghaffari thus does not disclose, teach or suggest that its commands include "a memory location to which the completion status will be written, and a value to

be written upon completion of the command." Since neither Harrington nor Ghaffari disclose the claimed limitation, Applicants submit that the combination of Harrington and Ghaffari therefore cannot disclose, teach or suggest every element of the claimed combination. Applicants respectfully request withdrawal of the rejection and allowance of the claim.

Claim 12, as amended, recites an article of manufacture comprising a machine-readable medium having instructions stored thereon to issue a plurality of commands from a controller, wherein the commands are issued in a first order and "wherein each command includes a command, a memory address identifying a memory location to which the completion status will be written, and a value to be written upon completion of the command," and "indicate the completion status of commands in a second order, wherein the second order is different from the first order." By analogy to the discussion above for claim 1, Harrington and Ghaffari, alone or in combination, do not disclose, teach or suggest a combination including the recited limitations. Applicants submit that claim 12 is therefore allowable and respectfully request withdrawal of the rejection and allowance of the claim.

Claim 23, as amended, recites an apparatus including a controller adapted to accept a plurality of commands, wherein the commands are issued in a first order and "wherein each command includes a command, a memory address identifying a memory location to which the completion status will be written, and a value to be written upon completion of the command," and "wherein a completion status of each command is indicated in a second order, and wherein the second order is different from the first order." By analogy to the discussion above for claim 1, Harrington and Ghaffari, alone or in combination, do not disclose, teach or suggest a combination including the recited limitations. Applicants

submit that claim 23 is therefore allowable and respectfully request withdrawal of the rejection and allowance of the claim.

Claim 28, as amended, recites a system including a controller adapted to accept a plurality of commands issued in a first order and "wherein each command includes a command, a memory address identifying a memory location to which the completion status will be written, and a value to be written upon completion of the command," a plurality of computational units to execute the plurality of commands, and a memory, "wherein a completion status of commands is written to the memory in a second order, and wherein the second order is different from the first order." By analogy to the discussion above for claim 1, Harrington and Ghaffari, alone or in combination, do not disclose, teach or suggest a combination including the recited limitations. Applicants submit that claim 28 is therefore allowable and respectfully request withdrawal of the rejection and allowance of the claim.

Claims 3-11, 14-22, 25-27 and 30-32 are not obviated by Harrington combined with Ghaffari, Kohn or Saito

If an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is also non-obvious. MPEP § 2143.03; *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). As discussed above, independent claims 1, 12, 23 and 28 are in condition for allowance. Applicants therefore respectfully submit that claims 3-11, 14-22, 25-27 and 30-32 are allowable by virtue of their dependence on allowable independent claims, as well as by virtue of the features recited therein. Applicants therefore respectfully request withdrawal of the rejections and allowance of these claims.

Conclusion

Given the above amendments and accompanying remarks, all claims pending in the application are in condition for allowance. If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to allowance of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 292-8600.

Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

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Date: 8-29-05

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Enclosures: Amendment transmittal, in duplicate